

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Mark Eugene Mottinger

Docket No. 278566

LC No. 2006-004487-FC

William B. Murphy  
Presiding Judge

Richard A. Bandstra

Michael R. Smolenski  
Judges

---

**AMENDED ORDER**

The Court orders that the motion to remand is DENIED for failure to satisfy the requirements of MCR 7.211(C)(1).

Smolenski, J. would grant the motion to remand for a *Ginther* hearing with regard to whether trial counsel rendered ineffective assistance of counsel when he failed to present the testimony of witness, J. Burgett.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

**JAN - 3 2008**

Date

*Sandra Schultz Mengel*  
Chief Clerk